

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY  
AVREAGE WHOLESALE PRICE  
LITIGATION

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) MDL No. 1456  
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) Civil Action No. 01-12257-PBS  
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THIS DOCUMENT RELATES TO:  
*International Union of Operating Engineers,*  
*Local No. 68 Welfare Fund v. AstraZeneca PLC*  
*at al.*, Civil Action No. 04-11503-PBS

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) Judge Patti B. Saris  
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) Chief Magistrate Judge Marianne B. Bowler  
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**DEFENDANTS SCHERING-PLOUGH CORPORATION'S AND WARRICK  
PHARMACEUTICALS CORPORATION'S LOCAL RULE 16.1(D)(3) CERTIFICATION**

Pursuant to Local Rule 16.1(D)(3), defendants Schering-Plough Corporation and Warrick Pharmaceuticals Corporation, and its attorneys hereby certify that they have conferred with a view to establishing a budget for the costs of conducting the full course—and various alternative courses—for the above-captioned litigation and have conferred to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

By its attorneys:

SCHERING-PLOUGH CORP  
WARRICK PHARMACEUTICALS CORP

/s/ Brien T. O'Connor  
Brien T. O'Connor (BBO#546767)  
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/s/ Elpidio Villarreal  
Elpidio Villarreal  
Vice President, Associate General Counsel

Dated: April 8, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that on April 8, 2005, I caused a true and correct copy of the foregoing to be served on all counsel of record by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL 1456.

/s/ Eric P. Christofferson

Eric P. Christofferson